

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
LAFAYETTE DIVISION**

DALE MICHAEL, ROBERT KNOTT,
ROBERT NICHOLS, APRIL FOSTER,
JEREMY FOSTER, and LYNN KRAY, on
behalf of themselves and all other similarly
situated individuals,

Plaintiffs,

v.

INDIANA PACKERS CORPORATION,

Defendant.

CIVIL ACTION NO.:
4:08-cv-00013-RLM-APR

MOTION FOR APPROVAL OF ATTORNEYS' FEES AND COSTS

Pursuant to Federal Rule of Civil Procedure 23(h), Plaintiffs Dale Michael, Robert Knott, Robert Nicholas, April Foster, Jeremy Foster, and Lynn Keay¹ (collectively the "Named Plaintiffs"), on behalf of themselves and all other similarly situated individuals, seek reimbursement for their counsel's fees in the amount of \$665,000, or one-third of the total value of the settlement, and reimbursement for their counsel's out-of-pocket costs in the amount of \$34,391.63, as established by the Settlement Agreement between Plaintiffs and Defendant Indiana Packers Corporation dated February 5, 2010. Pursuant to the Settlement Agreement, Defendant does not oppose this motion.

This Motion is based on the accompanying Memorandum of Law; the Declaration of Shanon J. Carson in Support of the Motion; the Declaration of Clint J. Brayton in Support of the Motion; the Declaration of Philip A. Downey in Support of the Motion; and all other records,

¹ The correct spelling of Ms. Keay's last name is Keay, not Kray.

pleadings and papers on file in this action and such other evidence or argument as may be presented to the Court at the hearing on the Motion.

May 26, 2010

Respectfully submitted,

/s/ Shanon J. Carson
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